

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 8733.388.00									
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ Signature _____ Typed or printed name _____	Application Number 09/788,420	Filed February 21, 2001									
	First Named Inventor Oh Nam KWON, et al.										
	Art Unit 2871	Examiner Timothy L. RUDE									
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <table style="width: 100%; border: none;"><tr><td style="width: 50%; vertical-align: top;"><input type="checkbox"/> applicant/inventor.</td><td style="width: 50%; text-align: right; vertical-align: top;">_____ /Valerie P. Hayes/ Signature</td></tr><tr><td style="vertical-align: top;"><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</td><td style="text-align: right; vertical-align: top;">_____ Valerie P. Hayes Typed or printed name</td></tr><tr><td style="vertical-align: top;"><input checked="" type="checkbox"/> attorney or agent of record. Registration number 53,005</td><td style="text-align: right; vertical-align: top;">_____ (202) 496-7500 Telephone number</td></tr><tr><td style="vertical-align: top;"><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____</td><td style="text-align: right; vertical-align: top;">_____ August 8, 2012 Date</td></tr></table> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>				<input type="checkbox"/> applicant/inventor.	_____ /Valerie P. Hayes/ Signature	<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	_____ Valerie P. Hayes Typed or printed name	<input checked="" type="checkbox"/> attorney or agent of record. Registration number 53,005	_____ (202) 496-7500 Telephone number	<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____	_____ August 8, 2012 Date
<input type="checkbox"/> applicant/inventor.	_____ /Valerie P. Hayes/ Signature										
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	_____ Valerie P. Hayes Typed or printed name										
<input checked="" type="checkbox"/> attorney or agent of record. Registration number 53,005	_____ (202) 496-7500 Telephone number										
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____	_____ August 8, 2012 Date										
<input checked="" type="checkbox"/> *Total of <u>1</u> forms are submitted.											

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Oh Nam KWON, et al.

Customer No.: 30827

Application No.: 09/788,420

Confirmation No. 5851

Filed: February 21, 2001

Art Unit: 2871

For: LIQUID CRYSTAL DISPLAY DEVICE AND
FABRICATING METHOD THEREOF

Examiner: Timothy L. RUDE

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

Applicants request review of the Final Office Action dated May 9, 2012 in the above-identified application. No amendments are being filed with this request. This request is being filed with a Notice of Appeal. Claims 1-7, 11-27, 29 and 30 are pending in the application with claims 11-26 being withdrawn from consideration. Applicants respectfully submit that there are clear errors in the rejections contained in the Final Office Action.

In the Final Office Action, claims 1-7 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants' Admitted Prior Art ("APA"). As indicated on page 5 of the Final Office Action, the Examiner is actually rejecting claims 1-9 and 27-28 over *APA* in view of U.S. Patent No. 6,188,458 ("Tagusa"). Also, claims 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over *APA* in view of U.S. Patent No. 5,851,918 ("Song").

Claim 1 is allowable over the cited references in that claim 1 recites a combination of elements including, for example, "wherein the first and second plated adhesion conductive layers are respectively contained within the first contact hole and in the second contact hole." The combined teachings of *APA* and *Tagusa* fail to teach or suggest the aforementioned features of claim 1, and thus cannot render claim 1 obvious.

In the Final Office Action at page 5, the Examiner admits that APA “does not explicitly disclose an embodiment wherein the first and second adhesion conductive layers are respectively contained within the first contact hole and in the second contact hole.” The Examiner then cites to Figure 5 of Tagusa to cure the deficient teaching of APA.

However, Figure 5 of Tagusa clearly shows that the metal nitride layer 41 is formed below the contact hole 26b, as opposed to being contained within the contact hole. In various locations, Tagusa confirms that the metal nitride layer 41 is in fact formed below the contact hole 26b. For example, Tagusa at 3:51-53 discloses that “In one embodiment of the invention, a metal nitride layer is formed below the contact hole to connect the connecting electrode and the pixel electrode.” *See* also Tagusa at claims 2, 17 and 22.

Tagusa further discloses “after the formation of the contact hole 26b, the cleaning solvent tends to permeate from the contact hole into the interface between the resin and the underlying transparent conductive film, causing the resin film to peel from the transparent conductive film” and “[i]n order to overcome this trouble ... the metal nitride layer 41 is formed on the transparent conductive film under the contact hole.” *Id* at 12:16-23. Thus, the purpose of the metal nitride layer 41 in Tagusa, which is formed under each contact hole through the interlayer insulating film 38, is to “improve[] the adhesion between the interlayer insulating film and the underlying film.” *Id.* at 21:14-20. In other words, those of ordinary skill in the art would understand that the metal nitride layer 41 is formed after the underlying film 37, but before forming the interlayer insulating film 38, to improve their adhesion properties, and that the metal nitride layer 41 in Tagusa is not contained within the contact hole. Indeed, the etch profiles of both the contact hole 26b and the metal nitride layer 41 in Figure 5 of Tagusa clearly indicate this is the case.

Accordingly, Applicants respectfully submit that the rejection of claim 1 under 35 U.S.C. 103(a) as being unpatentable over APA in view of Tagusa is improper and should be withdrawn. Also, claims 2-7, 27, 29 and 30 are also allowable over the cited references at least by virtue of their dependency from claim 1.

In light of the remarks noted above, Applicants respectfully submit that the pending claims are allowable over the prior art cited in the May 9, 2012 Final Office Action. Accordingly, Applicants respectfully request that the Patent Office withdraw the rejections of the Final Office Action and issue a Notice of Allowance or a new, non-final Office Action.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to Deposit Account No. 50-0911.

Dated: August 8, 2012

Respectfully submitted,

By: /Valerie P. Hayes/

Valerie P. Hayes

Registration No.: 53,005

McKENNA LONG & ALDRIDGE LLP

1900 K Street, N.W.

Washington, DC 20006

(202) 496-7500

Attorneys for Applicant